

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



'16 JAN 27 P 1:27

SENATE

P.S. RES. NO. 1723

RECEIVED BY:

Prepared by the Committee on Foreign Relations

RESOLUTION
CONCURRING IN THE ACCESSION TO THE HAGUE CONVENTION
ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

WHEREAS, the Constitution, Article 7, Section 21 states: "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate";

WHEREAS, the *Convention on the Civil Aspects of International Child Abduction* was adopted on 25 October 1980 in The Hague, Netherlands;

WHEREAS, the Convention seeks to combat parental child abduction by providing a system of cooperation between the central authorities of the Contracting States, and a rapid procedure for the return of the child to the country of the child's habitual residence;

WHEREAS, the objectives of the Convention are to secure the prompt return of children wrongfully removed or retained in any Contracting State, and to ensure that rights of custody and access under the law of one Contracting State are effectively respected in other Contracting States;

WHEREAS, the Convention shall take priority in matters within its scope over the Convention of 05 October 1961 concerning the power of authorities and the law applicable in respect to protection of minors, as between Parties to both Conventions. Otherwise, the present convention shall not restrict the application of an international instrument in force between the State of origin and the State addressed or other law of the State addressed for the purposes of obtaining the return of a child who has been wrongfully removed or retained or of organizing access rights;

WHEREAS, the President of the Philippines acceded to the Convention on 16 December 2015 and has accordingly submitted it to the Senate for concurrence, in accordance with the Constitution; and

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 26 January 2016, the following government agencies endorsed the concurrence to the accession of the Convention:

1. Department of Foreign Affairs
2. Department of Justice
3. Department of Social Welfare and Development

4. Inter-Country Adoption Board

WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as it hereby concurs, in the Philippine accession to the *Convention on the Civil Aspects of International Child Abduction*.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Chair
Committee on Foreign Relations